

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRET T. CULVER,	:	
	:	
Plaintiff	:	
	:	
v.	:	No. 1:01-CV-0904
	:	(Judge Kane)
COMMONWEALTH OF	:	
PENNSYLVANIA, <u>et al.</u>,	:	
	:	(Electronically Filed)
Defendants	:	

**DEFENDANTS' RESPONSE TO PLAINTIFF'S
MOTION TO COMPEL DISCOVERY**

EXHIBIT A

**Defendant Shannon's Responses to First Set of Interrogatories
(Volume I)**

DATE: September 29, 2003

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRET T. CULVER,

Plaintiff

v.

T. E. MIKNICH, et al.,

Defendants

:
:
:
:
:
:
:
:
:
:
:

No. 1:01-CV-0904
(Judge Kane)

**DEFENDANT SHANNON'S RESPONSES
TO FIRST SET OF INTERROGATORIES**

Defendant Robert D. Shannon, through his attorneys, responds to plaintiff's interrogatories as follows:

Defendant, Robert D. Shannon, through his attorneys, responds to plaintiff's interrogatories as follows:

1. What is your full name and address?

ANSWER:

Robert D. Shannon
State Correctional Institution at Mahanoy
301 Morea Road
Frackville, PA 17932

2. Have you been employed as a Department of Corrections employee during the time period of 1999 through February 2002 ? (If not specify the dates you have).

ANSWER: Yes.

3. Were you on duty and or acting as the present facility Superintendent on the dates of September 5, 2000 through September 11, 2000/October 13, 2000 through October 22, 2000/January 11, 2002 through January 17, 2002?

ANSWER: Superintendent Shannon was working at SCI- Mahanoy on September 5, 2000 through September 8, 2000 and October 13, 2000 through October 17, 2000. The defendant OBJECTS to the remaining portion of this interrogatory as overbroad and irrelevant to plaintiff's complaint.

4. If yes to # 3,

- (a) Cite each day you reported for duty at the facility;
- (b) Cite the time you went on duty each day present through the dates periods out-lined in #3;
- (c) Cite the time you went off duty each day present through the dates periods out-lined in #3.

ANSWER:

(a)-(c) Superintendent Shannon was working at SCI- Mahanoy on September 5, 2000 through September 8, 2000 and October 13, 2000 through October 17, 2000. Superintendent Shannon's regular work hours are 8:00 a.m. to 4:30 p.m. On October 13, 2000, Superintendent Shannon was out of the institution for approximately 6 hours. The defendant OBJECTS to the remaining portion of this interrogatory as overbroad and irrelevant to plaintiff's complaint.

5. During your employ at the State Correctional Institution at Mahanoy have you ever received any reports/complaints/petitions or requests of sequestered evidence, statements or reports from the plaintiff relevant or related to any situations, issues or circumstances mentioned/ alluded to/out-lined in this Action 1:01-CV-00904?

ANSWER: OBJECTION. The defendant **OBJECTS** to this interrogatory as vague, overbroad, confusing and seeking information that is irrelevant to plaintiff's claim. Moreover, the defendant is not certain what plaintiff means by "sequestered evidence," or "alluded to." Without waiving that objection, Superintendent Shannon has received documents regarding the misconduct issued to plaintiff on April 13, 2000 and the misconduct issued to him on September 18, 2000, as well as grievances that are related to his complaint.

6. If yes to #5,

(a) Cite days of notices/correspondence/petitions/requests (all Documentations [sic] received) by your authority from plaintiff, including the topic issue of each submitted document by plaintiff to your authority;

(b) Cite your responses and action taken on each issue of notification to your authority, and on what dates the response or action was taken;

(c) Cite any resolution or relief established by your authority for the plaintiff pursuant to any and all

notifications/reports/appeals to your authority from plaintiff, including the dates of action(s) taken on any issue directed to your authority by plaintiff for relief.

ANSWER: OBJECTION. The defendant **OBJECTS** to this interrogatory as vague, overbroad, confusing and seeking information that is irrelevant to plaintiff's claim. Without waiving that objection, the defendant is producing the documents regarding the misconduct issued to plaintiff on April 13, 2000 and the misconduct issued to him on September 18, 2000, as well as the grievances that are related to his complaint. See Exhibit A" attached.

7. During your employ at the S.C.C. at Mahanoy have you ever received or reviewed any reports/complaints/correspondence from any other persons (agencies/civilians) in behalf or in concern of the plaintiff pertaining to any of the situations, issues, or circumstances associated with regard to the plaintiff?

ANSWER: OBJECTION. The defendant **OBJECTS** to this interrogatory as vague, overbroad, confusing and seeking information that is privileged and/or irrelevant to plaintiff's claim. Without waiving that objection, the defendant is producing the documents he received regarding the misconduct issued to plaintiff on April 13, 2000 and the misconduct issued to him on September 18, 2000, as well as the grievances that are related to his complaint. See Exhibit "A" attached.

8. If yes to # 7,

(a) Cite names or identities of any persons/agencies contacting your authority in relation to the plaintiff, or relating issue;

(b) Cite the subject matter of any and all correspondence directed or received by your authority in relation to the plaintiff.

ANSWER: See response to Interrogatory No. 7.

9. During your term of employ at the S.C. I. at Mahanoy have you ever received correspondence/orders/advice/recommendations from any affiliate official or authority concerning or pertaining to the plaintiff and/or any related issue, situation, or subject matter of the Complaint in this Civil Action during the plaintiff's detainment at the S.C.I. at Mahanoy facility, including any record information pertaining to or relevant to this plaintiff's transfer to the S.C.I. Mahanoy facility ?

ANSWER: OBJECTION. The defendant OBJECTS to this interrogatory as vague, overbroad, confusing and seeking information that is privileged and/or irrelevant to plaintiff's claim. Without waiving that objection, the defendant is producing the documents regarding the misconduct issued to plaintiff on April 13, 2000 and the misconduct issued to him on September 18, 2000, as well as the grievances that are related to his complaint. See Exhibit "A" attached.

10. If yes to # 9,

(a) Cite name and title of the correspondent;

(b) Cite the subject matter of each report/order/recommendation/notice;.

(c) Produce any records or file documentations of any and all documents fitting this category.

ANSWER: See response to Interrogatory No. 7.

11. During your term of employ at S.C. I Mahanoy have any other employees under your administrative authority prepared and/or filed into record any reports, statements, recommendations or evaluations on the plaintiff, or related to any subject matter involving the plaintiff during his detainment at the S.C.I. Mahanoy facility (1999 to 2002) ?

ANSWER: OBJECTION. The defendant OBJECTS to this interrogatory as vague, overbroad and seeking information that is privileged as well as irrelevant to plaintiff's claim. Without waiving that objection, plaintiff may seek access to inmate information maintained at SCI-Mahanoy in accordance with DC-ADM 003 pg. 4. This directive is found in the Inmate Handbook issued to all inmates.

12. If yes to # 11.

(a) State name, badge or identification number, and present address of the person who prepared and/or submitted each document;

(b) State the name, badge or identification number, and present address of the person each document/report/correspondence was sent/directed too [sic];

- (c) The date, time and place where each report was prepared;
- (d) The name, badge or identification number, and present address of the person or present custodian of each report/document.

ANSWER: See response to Interrogatory No. 11.

13. Does the S.C. I at Mahanoy facility have a Video Security Monitoring System in its Restricted Housing Unit (L-5 D-Pod)?

ANSWER: Yes.

14. If yes to # 13,

- (a) Cite how long the video security taping system has been in place, in use, and operative;
- (b) Cite the S.C.I. Mahanoy Administrative policy and procedure for video security monitoring and taping during operations;
- (c) Cite the S.C.I. Mahanoy Administrative policy/procedure for record and storage of video recording tapes, including recorded incidents, or notification of recorded incidents requested for documentation and record evidence;
- (d) Cite DOC. policy or directive pertaining to Video Security Monitoring, recording, and record keeping.

ANSWER: (a) The video security taping system has been in use in L-5 D-Pod for approximately four years.

(b)- (d) The policy and procedure regarding the video security system is governed by the Department of Corrections administrative directives and policies. Department of Correction Policy No. 6.51, Administration of Security Level 5 Housing Unit, specifically, §(2) Housing Unit Use of Video Tape for L-S housing unit reception governs the use of the video security system. The

defendant **OBJECTS** to producing this policy as privileged and containing security related information that if released could pose a threat to the safety, operation and maintenance of the Unit. In addition, DOC-ADM 201, §V addresses the use of the video monitoring system. This directive is found in the Inmate Handbook, issued to all inmates. S.C.I. Mahanoy does not have a separate policy regarding the video security system.

15. Was you authority notified by the plaintiff and/or any other person or official to retain recorded video security tapes of the Restricted Housing Unit (L-5 D-Pod) for the date and incident (s) of 10-13-00 ?

ANSWER: No.

16. Disclose all documentation and record information on the video security tapes for the date and incident(s) of 10-13-00.

ANSWER: **OBJECTION.** The defendant **OBJECTS** to this interrogatory as vague, overbroad and seeking information that is irrelevant to plaintiff's claim. Without waiving that objection, if plaintiff is referring to video tapes of the Restricted Housing Unit (L-5 D-Pod) for October 13, 2000 concerning plaintiff, no video tape exist.

17. Was your authority notified by the plaintiff and/or any other person or official concerning the documents and storage/record of video security monitoring tapes of the Medical Building Lobby on the date of 01-11-02 for incidents of harassment against the plaintiff by defendant Vincent Mooney ?

ANSWER: OBJECTION. The defendant OBJECTS to this interrogatory as vague, overbroad and irrelevant to plaintiff's claim. Without waiving that objection, the medical building lobby is not video taped; therefore, no video security monitoring tape exists.

18. If yes to # 17,

(a) Cite action taken by your authority upon notification of crimes an/or violation committed against the plaintiff by Vincent Mooney, and action taken to ensure the protection of the plaintiff, and the record of the evidence (security monitor tape) sequestered by plaintiff's notification to your authority;

(b) Disclose all documentation, record and or evidence and video recordings for the date of the incident and report of 01-11-02.

ANSWER: OBJECTION. The defendant OBJECTS to this interrogatory as vague, confusing overbroad and irrelevant to plaintiff's claim.

19. State the name and address or otherwise identify and locate any persons who, to your knowledge, or to the knowledge of your agents and attorneys, purport to have knowledge of the facts or incidents relevant to the issues or subject matter described in these interrogatories.

ANSWER: OBJECTION. The defendant OBJECTS to this interrogatory as vague, overbroad and irrelevant to plaintiff's claim. Without waiving that objection, see documents attached as Exhibit "A" as containing the names of

individuals who have knowledge concerning the allegations contained in plaintiff's complaint.

20. Do you, your attorneys, or any other person employed by you or your attorneys, have possession or know of the existence of any notation, records, reports, or documents made in the ordinary course or business, other printed or documentary material, photographs, drawings, video or other tangible objects that are relevant to the incidents/issues/situations/conduct/subject described in these interrogatories.

ANSWER: OBJECTION. The defendant OBJECTS to this interrogatory as vague, overbroad and irrelevant to plaintiff's claim. Without waiving that objection, at this the defendants have identified those persons and documents attached as Exhibit "A".

21. If yes to # 20, state:

- (a) The name and description of each item;
- (b) The name and address of each person who made, prepared, or took such item;
- (c) The name and address of the present custodian of each such item;
- (d) The date, time and place where each item was made/formulated/prepared/taken;
- (e) The method by and purpose for which each item was made/prepared/taken;

(f) The manner in which each such item is relevant tot he issues/conduct/incident described in theses interrogatories ?

ANSWER: OBJECTION. The defendant OBJECTS to this interrogatory as vague, overbroad and irrelevant to plaintiff's claim. Without waiving that objection, at this the defendants have identified those persons and documents attached as Exhibit "A".

22. Do you, or any other employee under you authority, your agents and attorneys have any knowledge of any item mentioned there being altered removed. destroyed, erased, or lost in any manner?

ANSWER: OBJECTION. The defendant OBJECTS to this interrogatory as vague, overbroad and irrelevant to plaintiff's claim. The defendant has no idea what plaintiff is referring to as "item mentioned there."

23. If yes to # 22,

(a) Explain;

(c) Cite instances, items, dates, times, individuals involved or knowledgeable;

(d) Cite names and address of persons involved or who have knowledge relevant of or to events.

ANSWER: See Response to Interrogatory No. 22.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

By:


MARYANNE M. LEWIS
Deputy Attorney General

SUSAN J. FORNEY
Chief Deputy Attorney General
Chief, Litigation Section

Office of Attorney General
15th Flr., Strawberry Sq.
Harrisburg, PA 17120
FAX: (717) 772-4526
Direct Dial: (717) 787-9719
DATE: April 3, 2002

APR-02-2002 16:09
FILE NO. 587 04/027177838727
02 13:21 JUDGE: OFFICE OF HITY. GENERAL FAX 777/24526P.02/02
PAGE 24/ 5

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRET T. CULVER,**Plaintiff****v.****T. E. MIKNICH, et al.,****Defendants**:
:
:
:
:
:
:
:
:
:**No. 1:01-CV-0904
(Judge Kane)**

VERIFICATION OF ROBERT D. SHANNON

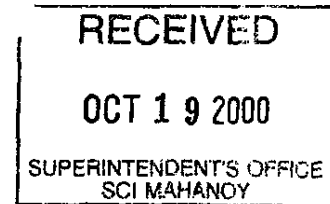
I, ROBERT D. SHANNON hereby states, he has read the responses to plaintiff's interrogatories, and that the facts set forth therein are true and correct to the best of his knowledge, information, and belief.

2 Apr '02
DATE


ROBERT D. SHANNON

SHANNON - EXHIBIT "A"

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
1451 N. MARKET STREET
ELIZABETHTOWN, PA 17022



OFFICE OF THE
CHIEF HEARING EXAMINER

October 17, 2000

Brett Culver, DD-3483
SCI Mahanoy

Re: DC-ADM 801 - Final Review
Misconduct No. A212770

Dear Mr. Culver:


This is in response to your appeal to final review of the above numbered misconduct.

In accordance with DC-ADM 801, VI, L, 3, I have reviewed the entire record of this misconduct, including the misconduct report, the hearing report and related documents, your appeal to the Program Review Committee and their response, your appeal to the Superintendent and his response. I have also thoroughly reviewed the issues you raise to final review.

The issues you raise to final review have already been addressed by the Program Review Committee and the Superintendent. On review of the record, this office concurs with their responses. I find no persuasive basis from which to conclude that the Examiner erred in conducting the hearing. The Examiner specifically documented findings of fact based on evidence presented at the hearing to support the decision. The procedures followed were in complete accordance with DC-ADM 801, §VI. The sanction imposed is not viewed to be disproportionate to the offense, and therefore will not be amended at this level.

For the above-stated reasons, the responses provided by the Program Review Committee and the Superintendent are upheld in full. Your appeal must, therefore, be denied.

Sincerely,


Robert S. Bitner
Chief Hearing Examiner

RSB:bjk

pc: Superintendent Shannon

cc: DSEm Petrucio
DSCS Kneiss
CCPM Unell
ms: Brzavage
D45 - [unclear]
RS [unclear]
...

01 Morea Rd
Pottsville, PA. 17932

OFFICE
OF THE

9-25-00

SEP 28 2000

CHIEF
HEARING EXAMINER

I am presently detained in RHU at SCI Mahanoy under punishments incurred by Administrative retaliation. The retaliatory punishments are directly related to my efforts to report, and seek relief on Official violations being made against my person.

I am forced to seek relief on these violations through Court Actions. But at present, the SCI Mahanoy Administration has obstructed this pursuit by withholding all my Legal Records, Materials, and Documents. I have not been permitted access to these Materials from 9-11-00 till present.

Also, because I have been sanctioned with punishment by the Intelligence Captain at this facility, I cannot obtain a fair or impartial hearing, or Appeal on the false allegations I'm sanctioned on at this Institution.

I request a Impartial committee for Appeal relief on the present unjust sanction I suffer. I will also have to request that the Impartial Committee be ^(Chief Hearing Examiner) ~~be~~ ^{aside} any influence or involvement of R. Bitner. R. Bitner is actively involved in D.O.C. violations related to the incidents I have reported on, and am suffering retaliation for.

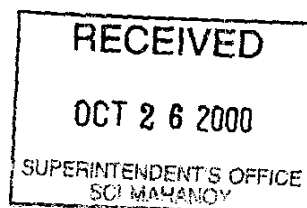
Butt Lubus

10-25-00

SUBJECT: Status of Fraudulent
#A212770

TO: R. Shannon
Superintendent

FROM: Brett Culver DD3483
RHU D-22



So called incident date: 9-5-00

Fraudulent allegations in act of retaliation by Vincent Mooney 9-11-00 #A212769

On 9-14-00 #A212769 Dismissed Without Prejudice

9-18-00 Vincent Mooney re-writes fraudulent allegations with added lying rational
#A212770.

9-11-00 to 9-22-00 all evidence documentation and relevant record evidence was denied and withheld from me to deny a fair or impartial hearing, and the biased hearing was imposed 9-22-00.

On or about 9-24-00 a letter of complaint and request for a fair and impartial hearing free of SCIMahoney Staff and Chief Hearing Examiner R. Bitner influence be secured via Camp Hill. (No reply)

Continued efforts to secure evidence documentation and personal records relevant to issues alleged in #A212770 denied and withheld by SCIMahoney Administration. SCIMahoney Officials also refused to produce requested evidence for record.

9-28-00 Notice of Appeal Continuance was submitted to PRC via the access of evidence documentation, personal records relevant to issues of allegations, and production of documentation to verify implied evidence/testimony by Vincent Mooney #A212770. And Request for Fair and Impartial Hearing.

9-29-00 Notice of Continuance for Appeal and reasons submitted to R. Shannon.

10-2-00 Notification to PRC that Appeal Process had been Obstructed by SCIMahoney Administration and could not continue until access to all relevant Documentation, evidence records, and personal records needed for appeal be granted.

1-6-00 PRC responds with irrelevant response.

1-6-00 SCIMahoney Administration allows access to partial personal records and evidence documentation.

1-12-00 I submit Appeal of #A212770 to R. Shannon Superintendent level.
Response: "Returned w/o action. Inappropriately Filed Oct. 16 00".

1-16-00 Re-filed Appeal of #A212770 to R. Shannon. Response: "Inappropriately filed. Returned without response C. Dotter 10-17-00."

1-18-00 Re-filed Appeal of #A212770 with DCAD 801 v12 clarification of procedure R. Shannon. Response: "You have already exhausted all levels of appeal this Appeal-A212770. Please refer to response from Chief Bitner dated 17 Oct 00 Rempt 20 Oct 00."

1-25-00 Re-file of #A212770 to R. Shannon with Status Record, ect. 10-25-00

A212770 has never been Appealed to Chief Hearing Examiner R. Bitner. I am only interested in the Appeal Decision of R. Shannon at the SLI Mahoney Superintendent level. ~~I am not interested in the Appeal Decision of R. Shannon at the SLI Mahoney Superintendent level.~~ I'm only interested in your decision on this matter, because, "You reviewed the so-called violation document (R Shannon 9-5-00) a week prior to Vincent Mooney's fraudulent report, and you found no violation of rules or regulations in that said document of record. Therefore, your decision in this matter is relevant to the ~~SLI~~ Actions being prepared on this and other Administrative violations. You are either going to compromise your position to support the actions and allegations of ~~my~~ record by Vincent Mooney, or you will stand on your own two feet and justify the situation in a professional manner as your position of authority requires. (In other words, You will either collaborate with the actions of Vincent Mooney, or you will perform your duty ~~to~~ honestly and justly). What you do is your decision". All I'm asking is that you suck-it-up and do what's right."

"I understand you don't want to be involved in this matter. You seem like a individual that wants to be "on the level" and do your job in professional manner. Unfortunately you inherited a very corrupt and dishonest batch of Administrative Officials when you came here. I think your wise enough to see that this ship you command is heading for rough waters (I don't mean that in reference to my issues against this Admin alone). Take some time by what you see developing around you. It bewilders me why I would compromise (your) personal dignity and honor to support lies and acts of cowardly sadistic abuses of authority ~~and others~~. Especially by individuals under your authority.

Know that the motivating factor against me is my abrasively blunt manner in ~~defensive~~ condemnation of your call. But what I say is factual and True! I'm just frustrated, and aggravated, to such behavior.

SUBJECT: **APPEAL** of #A212779

TO: Superintendent R. Shannon

10-18-00
Now Resubmitted
10-25-00FROM: Brett Culver DD3483
RHU D-22

Document R. Shannon 9-5-00 (Contents of both Documents submitted R. Shannon 9-5-00) stands as evidence on its own merit. Documentation submitted R. Shannon 9-5-00 contains NO THREAT, nor is said documentation in violation of any rule or regulation. Documentation R. Shannon 9-5-00 of record contains NO CONTEXT OF PHYSICAL AGGRESSION, OFFENSIVE INTENT, NATURE OR ATTRIBUTE DIRECTED OR CONTRIBUTED towards or against Officer Minkich (or anyone anything else). There is absolutely no Threat contained in context or word in said documentation R. Shannon 9-5-00.

Documentation R. Shannon 9-5-00 (Both documents submitted 9-5-00) were drafted and submitted as a only means and/or alternative means of witness ability to the suffered situations of Official and Administrative Harassment, Retaliation, Unjust Violations. These documents were entered for record as an only means of protection measures and evidence to the ongoing Official and Administrative attacks against my person, as all efforts to secure relief and/or protection from such abuses has been denied by the SCI Mahanoy Administration.

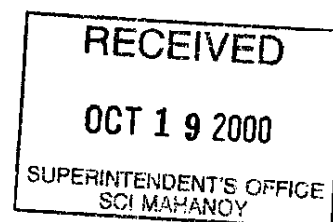
Documentation R. Shannon 9-5-00 (Both documents) were submitted to your authority for record on or about 9-5-00. Your personal review found and identified any Threat or threatening statement towards Officer Minkich, or anyone else for that matter, as NO Threat exists in said documentation record. As evidence of your personal review testimony, you entered that THE ISSUES OF MY COMPLAINT BE INVESTIGATED, As directed to by McGrady 9-7-00. A week after document R. Shannon 9-5-00 was submitted to your authority for record, a Captain Mooney has me sent to RHU for refusing to give him the names of employee informants referred to in document R. Shannon 9-5-00. Captain Vincent Mooney then entered a false report #A212779 in which he questioned me about threatening statements to Officer Minkich. I refused to explain these non-existent Threats he falsely alleges he asked about. I was placed in RHU by Vincent Mooney for withholding the names of informants that he demanded, and his actions are retaliatory (See E. Kneiss response 9-22-00).

10-14-00

SUBJECT: Harrassment Incident Committed by
Captain Vincent Mooney 10-13-00

TO: Superintendent R. Shannon

FROM: Brett Culver DD 3483
RHU D-22



On 10-13-00 during my detainment in RHU (D-22) sometime after 5:00 PM, a Captain Mooney (who placed me in RHU on ^(conspired) lying allegations) openly Harrassed my person when he came onto the D-Pod. [Hold D-Pod Video for Evening of 10-13-00, Civil Action] While Mr. Mooney was making a round through the block, I confronted him on his lying ~~conduct~~ conduct and false allegations which he utilized to abuse his power of position and have me confined to RHU punishment, "on lies".

Vincent Mooney came to my door and started banging on the Door saying, "You sure got ~~a~~ a lot to say now that you got a door to hide behind;". Thus insinuating he would assault me if the door was not there, and for that I wouldn't confront him for lying on me if the door ~~wasnt~~ wasn't there. Mr. Mooney started yelling

that I was a Coward while pounding on the Door. (It ~~is~~ customary for Officials to become enraged when they are confronted for lying) As Vincent Mooney was crossing the block to leave he was yelling: Those Kid's weren't lying 'were they'? He intentionally did that to incite the inmate population against me, and thus created a violation against the security and the orderly running of the Institution.

Mr. Mooney was laughing about the situation he had created ^{instigating a hostile environment with inmate population} with my placement in RHU (on his untruthful allegations), and openly harrassed and insulted me for confronting him for his acts of corruption and authoritative abuse.

This is the second (2nd) attack of Harrassment committed by Vincent Mooney against my person, in retaliation for my filing prior reports of Official Harrassment to this I Mahanoy Administration. Vincent Mooney has lied on my person to induce unjust punishments, and has violated Security ~~and~~ by inciting possible violence against me through Inmate population

Will you please have the person produce that evidence of the record? On 7-2 I was assigned D-B#22 after being released from RHU. A Cell Check Form

DC-135A Has to be dated 7-29-00 according to Policy Procedure. And this is what I'm seeking for evidence testimony for record, COMMONWEALTH OF PENNSYLVANIA and not Mrs Chismar's fraudulent hearsay testimony.

DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

RECEIVED

INSTRUCTIONS

OCT 18 2000

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

SUPERINTENDENT'S OFFICE
SCI MAHANOY

1. TO: (NAME AND TITLE OF OFFICER)

R. Sparran Superintendent

2. DATE

10-17-00

3. BY: (INSTITUTIONAL NAME AND NUMBER)

Brett Chismar DO 3483

4. COUNSELOR'S NAME

Rash

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

D-22

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

On 9-22-00 false testimony was entered into record, obtained from Mrs Chismar, to slander and defraud my person by

• P.R.C. Misconduct Appeal Decision #A216576 dated 9-21-00.

Since that fraudulent ~~was introduced into~~ testimony by Mrs Chismar was introduced into record, I have challenged this false testimony. I have also submitted to Mrs Chismar on three (3) separate occasions to PRODUCE her implied evidence of a Cell Check Form Dated for the month of July 29th 2000 when I moved into D-B#22, signed by me, and authorized by Officer Cain.

Mrs Chismar "knowingly" is using a Month of June cell Check Form to distort and enter fraudulent testimony to slander and defraud my person. I had been assigned D-B#22 on TWO (2)

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

different occasions. The second time I was assigned D-B#22 on 7-29-00 the Trash can was busted-up, and I reported it that day. A cell check form was filed by Officer Cain stating that the Trash can was busted-up upon cell inspection on 7-29-00. On 9-11-00 I was placed in RHU (On more lying allegations as you well know) and received a Misconduct for the Trash can that was busted up prior to my assignment to D-B#22 7-29-00. I have been challenging and requesting Production and verification to Mrs Chismar's fraudulent testimony "which alone" has been used to slander and defraud my person. This documentation has been routinely challenged and requested for Appeal purposes since 9-22-00 "And has been denied." Mrs Chismar's testimony is fraudulent hearsay, and I challenge the implied evidence that I know doesn't exist.

"How is it you tolerate such gross waste corruption within the Administration?"
I honestly would like to know.

☐ TO DC-14 CAR ONLY

Again, you cannot follow clearly TO DC-14 CAR AND DC-15 IRS direction. Problem here is evident to all but you.

STAFF MEMBER

cc: Unit Mgr Chismar

Raymond

DATE

18 OCT 00


REV: 17 April 2000

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
SCI Mahanoy
(570) 773-2158

19 September 2000

SUBJECT: Superintendent's Response
Appeal of Misconduct #A212770

TO: B. Culver, DD-3483/RHU

FROM: R. Shannon 
Superintendent

You were found guilty of the above misconduct. You appealed on the following grounds that:

- a. The procedures employed were contrary to law, Department Directives, or regulations;
- b. The punishment is disproportionate to the offense;
- c. The findings of fact were insufficient to support the decision.

I have reviewed the misconduct, the Program Review Committee's decision and your appeal with the following results:

- ☐ APPEAL DENIED
- ☐ APPEAL SUSTAINED
- ☒ APPEAL IS BEING RETURNED FOR INSUFFICIENT INFORMATION
- ☐ APPEAL REMANDED

RATIONALE: Appeal is inappropriately filed to my office, as it has yet to be heard by PRC.

RS:sd

cc: DSFM
DSCS
CCPM Unell
Ms. Bosavage


file

D: R Shannon Superintendent

9-18-00

SEP 19 2000

Brett Culver DD3483
RHU D-22

I need immediate access to my Legal Materials (per DC ADM 802 VII A 4), prior to the Hearing Examination on false allegations # A212770.

Legal Documents on Legal Pursuits related to these issues have been requested for immediate referral to State Representative Thomas Scrimmentti.

DC ADM 802 VII A 4 cites that inmates in Administrative Custody Housing Status are allowed to maintain religious, as well as legal materials, in one (1) records center box.

That should be ample clearance for all Legal Materials in my property, and some religious Books. (Both requested)

Also, for the Hearing Examination on false allegations #A212770, Vincent Mooney has altered the rendering of a isolated partial ~~entree~~ entree contained in the Document of reference, so the original will need to be submitted for Examination. This original should be the copy thereof Time Stamped Dated received by his (V. Mooney) Office. As to further testimony for evidence V. Mooney alleges that he ~~was~~ had not ~~been~~ been present at this Institution from 9-5-00 to 9-11-00. Documentation of Work Attendance Record Tracking for Vincent Mooney 9-5-00 to 9-11-00 will be required for that evidence and testimony. Also the name of Official who is in charge of Vincent Mooney's duties during his absence.

Brett Culver


cc:

**COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI Mahanoy**

September 28, 2000

Subject: Misconduct Appeal #A212770

To: DD3483 Culver, Brett – RHU D-22


From: Edgar M. Kneiss
Deputy Superintendent
for Centralized Services

Your attached appeal must be properly filled out on a DC-141 Part II E Misconduct Hearing Appeal form with the correct misconduct number and hearing date and submitted to the Program Review Committee in a timely fashion (within 15 days from the date of your hearing, which was 9/22/00).

Please resubmit your appeal on the proper form.

EMK:hb

Attachment

cc: Deputy Petruccio
Mr. Unell
DC-15
File

Notice For Hearing/Appeal Continuance via Impartial
Procedural Hearing, and access of record Documentation.

TO: PRC

9-28-00

RECEIVED

SEP 28 2000

Brett Culver DD348

RHU D-22

Brett Culver

The SCIMahanoy Administration is in ~~violation~~ <sup>DEPUTY SUPERINTENDENT
CONTACTED SRRY 30/10/00</sup> of D.O.C Policy Procedures by denial of a fair and impartial hearing 9-18-00 on Misconduct #A212770

All requested "witness documents to ~~review~~ ^{challenge} charging staffs implied evidence and allegations, as requested per DC-141 Part II A form, was Denied by Hearing Examiner Kain.

I, being falsely charged on fraudulent testimony and implied evidence, have the right to request the documents I'm being charged from, and those documents ~~necessary~~ to support or disprove allegations being made against me.

Hearing Examiner Kain refused to allow witness documents for review of evidence at Misconduct Hearing #A212770 on 9-18-00, ~~and deny the request for review of evidence~~ (Decision based ~~on~~ entirely on Mooney's version.)

Also, because all personal Legal Records and Materials are presently being withheld by the SCIMahanoy Administration, record documentation directly relevant to these issues of evidence, and necessary for presenting a Appeal are being Denied by the SCIMahanoy Administration. (Obstruction/Winderin

Therefore, this Administration at SCIMahanoy is in violation of D.O.C. Policy and Procedure. These are also Civil Rights violations. Misconduct Hearing #A212770 conducted by Hearing Examiner Kain on 9-18-00 is in violation. DC ADM 801 VI K (Misconduct #A212770 is also in violation of time limitations expiration)

No fair or impartial Hearing or Appeal procedures can be ~~secured~~ ^{secured} at this Institution. ~~Documentation~~ ^{Documentation} on evidence and related issue has been denied, and continues to be withheld by the SCIMahanoy Administration.


I formally request a Impartial Hearing on Misconduct #A212770 and the right to have witness documentation and evidence examined.

**COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI Mahanoy**

September 22, 2000

Subject: Misconducts A212769 – A212770
Notification of Confinement A224179

To: DD3483 Culver, Brett – RHU D-22


From: Edgar M. Kneiss
Deputy Superintendent
for Centralized Services

I feel you are wrong in that the misconduct was dismissed without prejudice to be re-written. You were given a notification the same day.

Captain Mooney was out of the institution, and upon his return and when finding out it was dismissed, he rewrote it. All legitimate.

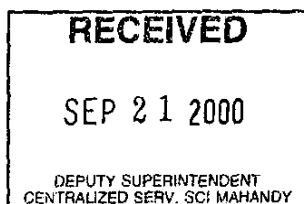
This all may have been avoided if you cooperated in the first place.

EMK:hb

Attachment

Cc: Supt. Shannon
Deputy Petruccio
Major McGrady
Major Michaels
Captain Mooney
Lt. Henrickson
DC-15
File

TO: P. R. C.



Notification of Procedural Violations of DOC Directives/Procedures

9-21-00

Brett Culver DD345:
RHU D-22

On 9-11-00 I was placed in RHU AC Pre-Hearing Confinement per DC ADM 801 VI C pending misconduct hearing #A212769.

The reporting staff V. Mooney filed allegations of report per DC ADM 801 VI A (2), (3). On 9-11-00 1515 hrs I was placed in RHU (for not cooperating) by order of V. Mooney. Pursuant to DC ADM 801 VI C the Shift Commander co-signed this action. The report of DC-141 Part 1 #A212769 thus referred my status (at that time) to Pre-Hearing Confinement pending Misconduct Hearing per DC ADM 801 VI E2.

The Hearing for #A212769 was held 9-14-00 at which said charge was dismissed without Prejudice. At that time and date (9-14-00 1100 hrs) my status referred from AC Pre-Hearing Confinement per DC ADM 801 VI E2 to a subsequent DC ADM 801 VI C. (which allows reasonable time for any re-write to the alleged charge dismissed). Pursuant to DC ADM 801 VI C with the charge #A212769 being dismissed 9-14-00 1100 hrs, the time expenditure offered to the charging staff member EXPIRE 9-17-00 1100 hrs.

In Accordance with DOC Directives/Procedures, Misconduct re-write #A21277 filed on 9-18-00 is untimely and VOID on expired time expenditure.

"Also, the DC-141 Part 1 #A224179 ~~Other~~ "Notification of Confinement" prepare and filed by Lt R. Henrickson 9-14-00 is non applicable and in violation of D.O.C. Directives/Procedure. Upon Dismissal of charge #A212769 9-14-00 the extended detention confinement was pending a possible re-write of charge and I was not detained on AC Investigation. DC ADM 802 VI A IF as ente. #A224179 is non-applicable and is not in accordance with DOC Directives/Procedures. On 9-14-00 I was not detained on any charge, nor was I AC Investigative.

The afore out-lined status procedure in accordance with DOC Directives/Procedures is True and Correct.

Pursuant to the Procedural Violations of DOC Directives and Procedures, my present detainment in RHU must be annulled

- T T T

MP

FORM DC-141		PART I		COMMONWEALTH OF PENNSYLVANIA		A 212770	
Rev. 6-84		<input checked="" type="checkbox"/> MISCONDUCT REPORT <input type="checkbox"/> OTHER		DEPARTMENT OF CORRECTIONS			
DC Number	Name	Institution	Incident Time 24 Hr. Base	Incident Date	Date of Report		
DD-3483	Culver, Brett	SCI-MAH	1515	9/5/00	9/18/00		
Quarters	Place of Incident						
RHU	Security Office						
OTHER INMATES OR STAFF INVOLVED OR WITNESSES (CHECK I OR W)							
DC Number	Name	I	W	DC Number	Name	I	W
Staff	CO1 Brennan		<input checked="" type="checkbox"/>	Staff	Superintendent Shannon		<input checked="" type="checkbox"/>
Staff	CO1 Engle		<input checked="" type="checkbox"/>				
Staff	CO1 Mikulich	<input checked="" type="checkbox"/>					
MISCONDUCT CHARGE OR OTHER ACTION							
A. Class # 15. Threatening an Employee or their Family with bodily harm.							
STAFF MEMBER'S VERSION							
On September 5, 2000 Superintendent Shannon received a Request Slip from DD-3483 Culver. In the Request Slip inmate Culver alleged that Co Mikulich was harassing and stalking him. Culver further stated "I cannot be held accountable for my actions on my part that might occur related to these situations". On 9/11/00 I attempted to interview inmate Culver concerning his threatening statement, Culver refused to cooperate and explain his statement, therefore his statement is considered a threat to Co Mikulich. The difference in the original date of incident and report date was due to this reporter being out of the institution until 9/11/00. Misconduct A212769 was dismissed without prejudice resulting in a new date of report of 9/18/00.							
IMMEDIATE ACTION TAKEN AND REASON							
continue confinement in the L-5 pending further action by the hearing examiner.							
PRE-HEARING CONFINEMENT							
IF YES							
<input type="checkbox"/> YES	TIME	DATE					
<input checked="" type="checkbox"/> NO	N/A	N/A					
REPORTING STAFF MEMBER SIGNATURE AND TITLE		ACTION REVIEWED AND APPROVED BY RANKING C.O. ON DUTY		FORMS GIVEN TO INMATE <input checked="" type="checkbox"/> REQUEST FOR WITNESSES AND REPRESENTATION <input type="checkbox"/> INMATE'S VERSION		DATE AND TIME INMATE GIVEN COPY	
Mooney, Vincent F. Intelligence Captain		CO-1 [Signature]				DATE: 9-18-00 TIME 24 HOUR BASE: 1915	
YOUR HEARING MAY BE SCHEDULED ANY TIME AFTER DATE: 9-30-00 TIME: 0800				Misconduct Category <input checked="" type="checkbox"/> CLASS I <input type="checkbox"/> CLASS 2		Signature of Person Serving Notice	
						CO' [Signature]	
NOTICE TO INMATE							
You are scheduled for a hearing on this allegation on the date and the time indicated or as soon thereafter as possible. You may remain silent, if you wish. Anything you say will be used against you both at the misconduct hearing and in a court of law if this matter is referred for criminal prosecution. If you choose to remain silent, the hearing committee/examiner may use your silence as evidence against you. If you indicate that you wish to remain silent, you will be asked no further questions. If you are found guilty of a Class I misconduct, any pre-release status you have will be revoked.							

DC-141 PART II B COMMONWEALTH OF PENNSYLVANIA
 Rev. 6-84 DISCIPLINARY HEARING REPORT DEPARTMENT OF CORRECTIONS

DC Number DD 3483	Name CULVER	Institution SCWMAH	Hearing Date 9-22-00	Hearing Time 1040	No. from Part I A212770
INMATE PLEA	<input type="checkbox"/> Guilty <input checked="" type="checkbox"/> Not Guilty	<input type="checkbox"/> No Plea <input type="checkbox"/> Other	Verdict	<input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty	

CHARGES **A#15. THREAT - not** HEARING ACTION

FINDINGS OF FACT, VERDICT, AND SANCTIONS IMPOSED

Culver submits a mission statement essentially that he did author the attached copy of the request ship. He did make the statement that "I cannot be held responsible or accountable for any action on my part that might occur related to this situation..." But he does it see this as a threat.

I find for the staff report over Culver's denial that the statement he authored in the attached request ship, that he could not be held responsible for ~~any~~ any action on his part, as a threat to staff. I find he was lying the statement as a threat. I find him guilty of this threat charge.

Sancti. 90 of DC
 9-11-00
 12-9-00

YES	<input type="checkbox"/> NO	The inmate has heard the decision and has been told the reason for it and what will happen.
YES	<input type="checkbox"/> NO	The circumstances of the charge have been read and fully explained to the inmate.
YES	<input type="checkbox"/> NO	The opportunity to have the inmate's version reported as part of the record was given.
YES	<input type="checkbox"/> NO	The inmate has been advised that within 15 days a request for a formal review may be submitted and that this request must contain specific reasons for the review.

entirely attached
 & enclosure
 SEE APPENDICES
 copy of Department
 attached & Shay's cell
 Culver

NAME(S) OF HEARING EXAMINER/COMMITTEE
 (TYPED OR PRINTED)

J.K. KANE

Hearing Report and all appended information must be signed. Signature indicates finished report with appendices.

SIGNATURE OF HEARING EXAMINER/COORDINATOR

DC-141 <small>Rev. 6-84</small> INMATE REQUEST FOR REPRESENTATION AND WITNESSES		PART II A COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS	
DC Number DD3483	Name CULVER, BRIETT	Institution SCI MAH	Date 9-18-00
Number as on Part I A012770			
<p>You have been charged with a misconduct. You may request assistance and/or witnesses to appear at your hearing by completing the section(s) below. <i>With Assistance by Attorney/case involves Official Criminal Intent.</i></p> <p>In order to have assistance or witnesses at your hearing, you must complete this form and present all copies to one of your housing officers no later than 9:00 a.m. the first working day after you receive notice of the misconduct.</p>			
<p>Assistance: <input type="checkbox"/> I do not request assistance <input checked="" type="checkbox"/> I request assistance by <u>Kathy R. Stuber Esquire</u> (The person requested must be willing to assist you)</p> <p>Witnesses: You may request witnesses in accord with DC-ADM 801. State the relevancy and importance of the testimony the witness will give.</p>			
<p>1. Name of Witness: <u>Original Document (R. Shuman 9-5-00) Stamp Dated to V. Mooney Office receipt</u> Why is this person's testimony relevant and important? <u>V. Mooney rendering of statement in A212730 is altered and not correct to the original text. Also V. Mooney twists this partial statement out of the context present in the original. Office Date Stamp for Evidence.</u></p>		<p style="text-align: center;">DO NOT WRITE IN THIS SECTION For Use by Hearing Examiner</p> <p>Witness permitted? <input type="checkbox"/> If not, why not?</p>	
<p>2. Name of Witness: <u>Work Attendance Tracking Record for V. Mooney</u> Why is this person's testimony relevant and important? <u>V. Mooney enters (implies) evidence by testimony in report that he had not been at this institution 9-5-00 to 9-11-00 for rational, that this charge could not be written-up (outside his custody and presence).</u></p>		<p>Witness permitted? <input type="checkbox"/> If not, why not? <u>no, as no one requested separately</u></p>	
<p>3. Name of Witness: <u>Whoever was V. Mooney's replacement during absence.</u> Why is this person's testimony relevant and important? <u>To explain why nobody at this Prison absence 9-5-00 to 9-11-00 found any reason, or could not take action if this violation (alleged) existed. And why no violation was found by anyone for the 6 days (six days) V. Mooney alleges he was not at this institution.</u></p>		<p>Witness permitted? <input type="checkbox"/> If not, why not?</p>	
<p><u>Brett Culver</u> Inmate's Signature</p>		<p style="text-align: center;"><u>[Signature]</u> Hearing Examiner's Signature</p>	
<p>This section to be completed by Housing Officer only</p> <p>Received completed form <u>0645</u> hours <u>9-19-00</u> Time Date</p> <p><u>CO HENDERSON / Hend</u> Housing Officer's Signature</p>			

R. Shannon (Superintendent) did not find any violation in document 9-5-00. V. Mooney did not charge with #15 because document 9-5-00 was in violation, was charged with the alleged violation because I ~~wasn't~~ wouldn't speak about information V. Mooney wanted. I was charged because I would not do what V. Mooney wanted me to do. Document R. Shannon 9-5-00 is not in violation, and there is no documented threat to Mr. Shannon.

DC-141 PART II C		COMMONWEALTH OF PENNSYLVANIA	
Rev. 6-84 HEARING SUPPLEMENT		DEPARTMENT OF CORRECTIONS	
INMATE VERSION AND WITNESS STATEMENTS			
DC Number	Name	Institution	No. from PART I
DD-3483	CULVER, BRETT	SCI-MAH	A-212770
INMATE'S VERSION			

Statement of allegation is a isolated partial of a statement being twisted out of context to which it was presented. Also, this isolated partial being twisted out of context has been ALTERED from its original text, as it is rendered in #A212770. Even out of context this isolated partial implies no threat to anyone. In context presented in the two form documentation sent to R. Shannon 9-5-00, this document was a Proclamation. Due to Administrative hostilities and refusal to address violations being committed against my person, I Proclaimed, as to the context, that I am not responsible for any of the issues or situations I have been forced to seek relief for or resolution to. And regardless of the Administrative Official threats to stop pursuing these issues of complaint, I am not accountable (or responsible) for any actions on my part or efforts to secure relief. "I" am not responsible for these situations or violations being committed against "me". (I am not accountable.) I also Proclaimed that because of Administrative Corruption, retaliation, and refusal to address/Process these issues, I would not be submitting anymore issues to the authority of this Administration. Superintendent R. Shannon received this documentation (for record) and sent a copy to (?) to have the ISSUES OF COMPLAINT investigated. There was no "alleged Threat" by Superintendent R. Shannon concerning the document. Superintendent R. Shannon is in a position and knowledgeable enough to know if a rule or regulation had been violated. And he would have had me charged immediately. But no action was taken because no rule or regulation had been violated, nor was there any Threat made in 9-11-00 Vincent Mooney did not ask me anything about a Threatening Statement as he testifies in his report. V. Mooney was enraged because I immediately told him I had nothing to say to this Administration on these issues. (Proclaimed in the Document, reasons included) V. Mooney was asking about names of employees referred to in the Document "ONLY". I again told him I had nothing to say, all issues are being handled by outside agencies. In 9-11-00 V. Mooney had me sent to RHU. V. Mooney's report implies that Mr. Shannon is not capable of reporting this alleged charge, nor is anyone else during his so called absence 9-5-00 to 9-11-00. The Proclamation Document itself was specifically given for Court Actions being pursued on three issues contained. There is no threat

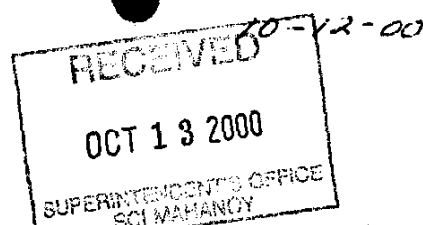
35 Q.

DC-135A		RECEIVED COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS SEP 07 2000 INSTRUCTIONS <i>Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.</i>	
INMATE'S REQUEST TO STAFF MEMBER			
1. TO: (NAME AND TITLE OF OFFICER)		2. DATE	
R. Shannon Superintendent		9-5-00	
3. BY: (INSTITUTIONAL NAME AND NUMBER)		4. COUNSELOR'S NAME	
- Brett Culver ID-3483		Barsh	
5. WORK ASSIGNMENT		6. QUARTERS ASSIGNMENT	
		D-18 22	
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.			
<p>The Harassment by Officer Minkich against me is well known among other employees at this facility. There are certain employees that inform me about conversations they have had, or heard about me from C.O. Minkich. *Today (9-5-00) I was told by one of these employees that Officer Minkich is actively seeking information concerning me from other employees on D-8. And this employee informed me that Officer Minkich was making improper statements in reference to me. This involves conspiracies and stalking. *All measures of security and protection have been denied by this Administration. I desperately tried to secure relief on these issues which has been denied. I tried to secure separation protection which has also been denied to this date. Everything I have tried to do to secure relief (protection from abuse) has been denied by this Administration "and your authority." This Administration has supported, facilitated, promoted, and endorsed all facets of harassment and hostilities against my person. I cannot be held responsible or accountable for any actions on my part that might occur related to these situations being deliberately forced on my person.</p>			
8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)			
<p>Provide <u>names</u> to the Security Office. Give them something to work with and your accusations will be formally investigated as they have been previously.</p> <p>Also-you most certainly <u>will</u> <u>be</u> held accountable for your actions.</p> <p>Dep. Petruccio cc: Major McGandy have his latest complaints investigated. Unit Mgr Chismar Adm Asst Dotter</p> <p style="text-align: right;">R. Shannon 7 Sep '00</p>			
<input type="checkbox"/> TO DC-14 CAR ONLY		<input checked="" type="checkbox"/> TO DC-14 CAR AND DC-15 IRS	
STAFF MEMBER		DATE	

SUBJECT: Appeal of #A212770

TO: Superintendent R. Shannon

FROM: Brett Culver DD 3483 RHU D-22



The document of reference (R. Shannon 9-5-00) manipulated and altered out of context by allegations implied by Vincent Mooney in his report of #A212770 will stand as evidence on its own merit. Document R. Shannon 9-5-00 does not violate any rule or regulation.

There is NO present attribute of OFFENSE ^(context) nature or action ^(disposition) in said document, or Assaultive Threat directed to Officer Minkich as Vincent Mooney implies in his fraudulent report of #A212770. There is absolutely NO Threat contained in said document (R. Shannon 9-5-00) as evidenced in its documented context of record.

The document itself was drafted "as my person suffered (and continues to suffer) Retaliatory oppression and acts of Harassment by Administrative Officials at SCI Mahanoy.

The document was drafted and produced as a only alternative means (or ability) of witness protection measures to the ongoing (possibly ~~conspired~~) suffered violations (attacks) being committed against my person. The document R. Shannon 9-5-00 was drafted is witness protection to events being committed against me, and for documentation evidence for Legal Actions in a Court of Law to secure presently denied relief.

This drafted documentation (R. Shannon 9-5-00) is witness evidence and confirmation that "I am not responsible for, nor am I the perpetrating offender of these violations and attacks being made against my person. And that I am not responsible for anything but might take place or result in any (possible) occurrence or situation instigated or proceed against my person by the Offending violators. This does NOT constitute Threat to the Offenders committing violations against me."

The drafted document (R. Shannon 9-5-00) was submitted to your office and personally reviewed by your authority 9-5-00 (on or about). NO Threat was determined your personal review of said document. And as testimony to your personal review you enter that the issues of my complaint be investigated a week after you referred the issues of complaint to Major McGrady, a Captain Moore calls me to his office and demands the names of employees mentioned in the document as informants, and has me taken to RHU for my refusal to divulge the names of employee informants. Vincent Mooney NEVER asked me anything about a pre-existent Threat made to Officer Minkich, and his report of #A212770 is fraudulent as reported (a week after received by R. Shannon). Captain Mooney's report denounces by his own "motivating reason" that I was subjected to RHU detention for the "real reason" of: MY FAILURE TO COOPERATE WITH HIS DEMANDS; and not some fabricated implications of a NON-EXISTANT Threat to Officer Minkich. This is confirmed by Edgar Kneiss in his response 9-22-00, with reply of 9-25-00. #A212770, and the suffered sanctions thereof, are a direct violation of DC-ADM 004

A, B, C. as implicated by Captain Vincent Mooney via documented report of retaliatory acts of Harassment submitted in R. Shannon 9-5-00. (on 9-5-00 to R. Shannon via document 9-5-00 (R. Shannon) stands on its own merit in testimony. * A decision will have to be made to either: uphold Honest Professional Integrity and correct the situation in violation to Compromise justice in a decision to submit to and support a retaliatory sanction action imposed for "non-cooperation" to Captain Vincent Mooney's demands (which were in the even implies in his dishonest fraudulent report #A212770.

the position of your authority to compromise justice in this matter and submit the actions of Vincent Mooney to, save face, for your Administrative underlings;

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

DC-141 Part III

Program Review Committee

☒ Misconduct Appeal☐ Periodic Review☐ Other




DC Number	Name	Institution	Date of Review	Misconduct #
DD-3483	Culver, Brett	SCI Mahanoy	10/5/00	A212770

PROGRAM REVIEW COMMITTEE'S DECISION AND ITS RATIONALE

The PRC has noted that you haven't indicated any grounds for appeal. You even indicate on form DC-141 Part II E that this isn't an official appeal. However, your comments and concerns listed on the form have been noted.

DECISION RELATIVE TO HEARING EXAMINER'S VERDICT

☒ Not Applicable ☐ Sustain ☐ Amend ☐ Refer Back for Further Study ☐ Exonerate

Names of Program Review Committee	Signatures	Date
John Corbacio, Activities Manager		10/6/00
Thomas Hornung, Unit Manager		10/6/00
Brenda Wildenstein, Unit Manager		10/6/00

DC-141 PART II E COMMONWEALTH OF PENNSYLVANIA MISCONDUCT HEARING APPEAL DEPARTMENT OF CORRECTIONS			
DC Number PD3157	Name Bert [unclear]	Institution CT #44	No. from PART I A212770

I was found guilty of misconduct # _____ on _____ (date) by the
Hearing Committee/Examiner, and I wish to appeal that decision on the following grounds:
Check Area(s) Involved

- a. The procedures employed were contrary to law, Administrative Directive 801, or to the ICU Consent Decree;

- b. The punishment is disproportionate to the offense;**

- c. The evidence was insufficient to support the decision.**

Below is a brief statement of the facts relevant to my claim(s). It includes the identity of all persons who may have information which may be helpful in resolving this matter.

RECEIVED
OCT 03 2000
DEPUTY SUPERINTENDENT
CENTRALIZED SERV. 301 MAHANDY

Below is a brief statement of the facts relevant to my claim(s). It includes the identity of all persons who may have information which may be helpful in resolving this matter.

Not on Appeal

#A212770 cannot be the fair
 appealed to the authority of No fair
 SCI Mahoney Administration can be secured. No fair
 or impartial process and documentation relative have
 all personal records and required for appeal Administration
 the issue of #A212770 (and required for appeal) have
 been withheld and denied by the SCI Mahoney Administration
 while I'm being detained in RHH on false charges

The SCI Mahoney Administration is actively involved in retaliation have
 actions against my person, and such Administration is totally void
 of honesty or integrity by its Officials. No fair or impartial
 process can be secured through the corrupt appeal
 of this SCI Mahoney Administration via denial of sci
 records no access or obtained #A212770
 appeal is delayed until personal deni
 and impartial hearing can be
 secured by SCI Mahoney Administration before
 a fair hearing.

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI Mahanoy

September 28, 2000

Subject: Misconduct Appeal #A212770

~~To:  DD3483 Culver, Brett RHU D-22~~

From: Edgar M. Kneiss
Deputy Superintendent
for Centralized Services

Your attached appeal must be properly filled out on a DC-141 Part II E Misconduct Hearing Appeal form with the correct misconduct number and hearing date and submitted to the Program Review Committee in a timely fashion (within 15 days from the date of your hearing, which was 9/22/00).

Please resubmit your appeal on the proper form.

EMK:hb

Attachment

cc: Deputy Petruccio
Mr. Unell
DC-15
File

Notice For Hearing / Appeal Continuance via Impartial
Procedural Hearing, and access of Record Documents

TO: PRC

9-28-00

RECEIVED

SEP 28 2000

Brett Cliver DD
RHU D-22

Brett Cl

The SCIMahanoy Administration is in ~~violation~~ ^{DEPUTY SUPERINTENDENT OF CORRECTIONS} of D.O.C. Policy Procedures by denial of a fair and impartial hearing 9-18-00 on Misconduct #A212770

All requested "witness documents to ~~challenge~~ ^{challenge} charging staffs implied evidence and allegations, as requested per DC-141 Part II A form, was Denied by Hearing Examiner Kain.

I, being falsely charged on fraudulent testimony and implied evidence, have the right to request the documents I'm being charged from, and those documents necessary to support or disprove allegations being made against me.

Hearing Examiner Kain refused to allow witness documents for review of evidence at Misconduct Hearing #A212770 on 9-18-00, ~~and subsequently denied access to the records~~ (Decision based ~~entirely~~ ^{entirely} on Mahoney's version.

Also, because all personal Legal Records and Materials are presently being withheld by the SCIMahanoy Administration, record documentation directly relevant to these issues of evidence, and necessary for presenting a Appeal are being Denied by the SCIMahanoy Administration. (Obstruction/Hindrance)

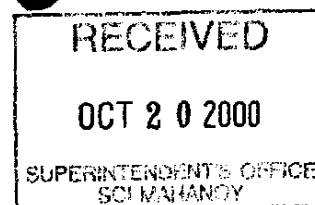
Therefore, this Administration at SCIMahanoy is in violation of D.O.C. Policy and Procedure. These are also Civil Rights violations. Misconduct Hearing #A212770 conducted by Hearing Examiner Kain on 9-18-00 is in violation. DC ADM 301 VI K (Misconduct #A212770 is also in violation of time limitations expiration)

No fair or impartial Hearing or Appeal procedures can be ~~secured~~ ^{secured} at this Institution. ~~Documentation~~ ^{Documentation} on evidence and related issue has been denied, and continues to be withheld by the SCIMahanoy Administration.

I formally request a Impartial Hearing on Misconduct #A212770 and the right to have witness documentation and evidence examined

This Page ~~is not~~
The Appeal ~~is not~~ ^{not} ~~to be considered.~~

10-18-00



This is the third attempted Appeal of #A212770 to the SCIMahoney Superintendent R.Shannon. The previous Appeals efforts and this third attempt are in full compliance with DC ADM 801 VI 2. My guess is that this Administration will rely on manipulation of variables, so let me cut the chase right now by citing DC ADM 801 VI 2 a. 3: "The inmate may state any claims concerning alleged violations of Department directives, regulations or other law." The text is more courteous than ~~the~~ reasonable. ~~And being 1 page does constitute brief statements of the relevant facts necessary for the issues of Appeal.~~ And being 1 page does constitute brief statements of the relevant facts necessary for the issues of Appeal.

DC-135A INMATE'S REQUEST TO STAFF MEMBER	COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS INSTRUCTIONS <i>Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.</i>	
1. TO: (NAME AND TITLE OF OFFICER)	2. DATE	
3. BY: (INSTITUTIONAL NAME AND NUMBER)	4. COUNSELOR'S NAME	
5. WORK ASSIGNMENT	6. QUARTERS ASSIGNMENT	
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.		
<i>Why do you play games with these issues? I'll make this Appeal real simple.</i>		
<i>Are you going to correct the unjust sanction and situation I suffer for no violation of rules or regulations?</i>		
<i>"OR" are you not ?!</i>		

SUBJECT: **APPEAL** of #A2127

10-18-00

TO: Superintendent R. Shannon

FROM: Brett Culver DD3483
RHU D-22

Document R. Shannon 9-5-00 (contents of both Documents submitted R. Shannon 9-5-00) stands as evidence on its own merit. Documentation submitted R. Shannon 9-5-00 contains NO THREAT, nor is said documentation in violation of any rule or regulation. Documentation R. Shannon 9-5-00 of record contains NO CONTEXT OF PHYSICAL AGGRESSION, OFFENSIVE INTENT, NATURE OR ATTRIBUTE DIRECTED OR CONTRIBUTED towards or against Officer Minkich (or anyone anything else). There is absolutely no Threat contained in context or word in said documentation R. Shannon 9-5-00.

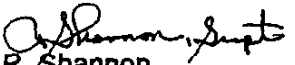
Documentation R. Shannon 9-5-00 (Both documents submitted 9-5-00) were drafted and submitted as a only means and/or alternative means of witness ability to the suffered situations of Official and Administrative Harassment, Retaliation, Unjust Violations. These documents were entered for record as an only means of protection measures and evidence to the ongoing Official and Administrative attacks against my person, as all efforts to secure relief and/or protection from such abuses has been denied by the SCI Mahanoy Administration.

Documentation R. Shannon 9-5-00 (Both documents) were submitted to your authority for record on or about 9-5-00. Your personal review found and identified any Threat or threatening statement towards Officer Minkich, or anyone else for that matter, as No Threat exists in said documentation of record. As evidence of your personal review testimony, you entered that THE ISSUES OF MY COMPLAINT BE INVESTIGATED, As directed to Joe McGrady 9-7-00. A week after document R. Shannon 9-5-00 was submitted to your authority for record, a Captain Mooney has me sent to RHU for failing to give him the names of employee informants referred to in document R. Shannon 9-5-00. Captain Vincent Mooney then entered a false report #A2127 saying he questioned me about threatening statements to Officer Minkich, I refused to explain these non-existent Threats he falsely alleges he asked about. I was placed in RHU by Vincent Mooney for withholding the names

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI-Mahanoy
(570) 773-2158
02 November 2000

SUBJECT: Superintendent's Response
Appeal of Misconduct #A212770

TO: Brett Culver, DD-3483/RHU

FROM: 
R. Shannon
Superintendent

You were found guilty of the above misconduct. You appealed on the following grounds that:

- a. The procedures employed were contrary to law, Department Directives, or regulations;
- b. The punishment is disproportionate to the offense;
- c. The evidence was insufficient to support the decision.

I have reviewed this misconduct and the Program Review Committee's decision and your appeal with the following results:

- ☒ APPEAL DENIED
- ☐ APPEAL SUSTAINED
- ☐ APPEAL IS BEING RETURNED FOR INSUFFICIENT INFORMATION
- ☐ APPEAL REMANDED

RATIONALE:

Your misconduct hearing was conducted on 22 Sep yet you appealed this to my office on 19 Sep prior to any hearing. That appeal had to be returned to you without action.

You then submitted an inappropriate appeal to PRC on 28 Sep that had to be returned to you by PRC because you failed to provide the proper format. At the same approximate time (25 Sep), you also submitted an appeal for final review, to Chief Bitner's office without appeal response from either PRC or my office. Chief Bitner, appropriately, could take no action until he received further information from the Institution.

On 03 Oct, PRC then received an appeal form from you on which you wrote "Not an Appeal. A212770 cannot be appealed to the authority of SCI Mahanoy Administration. No fair or impartial process can be secured." PRC had little choice but to return that appeal form to you noting it as not applicable.

B. Culver, DD-3483

-2-

02 November 2000

On 17 Oct, the Institution received a copy of Chief Bitner's Final Review of Appeal addressed to you.

On 20 Oct, I then received what can be construed as an appeal from you on this same misconduct. My response reflected this appeal process was closed as per receipt of Final Review.

A few days later, while making my rounds through the RHU, you indicated to me that, not only did you not receive anything from Chief Bitner, you also claimed that you **never sent** any appeal to his office. Either you were flat-out lying or just plain forgot. Choose **one** because, attached you will find a) Chief Bitner's Final Review response and b) a copy of your appeal that you wrote, signed then sent to Chief Bitner dated 25 Sep.

Your actions in this matter are reviewed as a deliberate intent to abuse the Adm Dir 801 process as it pertains to appeals. Your deliberate actions resulted in several hours of staff time to attempt to ensure that your appeal rights were not infringed upon and that you be given fair opportunity for review. You were given several opportunities to follow proper procedures and you failed to do so.

Your appeal process on this matter has been completed. As a result, this additional appeal is denied due to it being inappropriately submitted.

RS:plr

cc: Chief Bitner
DSFM
DSCS
Ms. Bosavage
CCPM Unell

Control
~~DC-15~~
file

RECEIVED

DC-135A

APR 17 2000

SUPERINTENDENT'S OFFICE
SCI MAHANAYCOMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

Mr. Shannon ~~Superintendent~~ Superintendent 4-14-00

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

Brett Culver DD 3483

4. COUNSELOR'S NAME

Barsh

5. WORK ASSIGNMENT

6. QUARTERS ASSIGNMENT

D-13

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

My Legal documents were Illegally taken from me 4-13-00
 #1 This is a Illegal Confiscation of Legal documents which violates my Constitutional Rights.

#2. This violation has and is; Obstructing and Hindering Legal pursuits, and my Constitutional Rights to pursue Legal remedies.

I demand the return of my Legal Documents. Violators include the Confiscating C.O.'s who conspired to Confiscate the Legal Documents with the issuance of the DC-141 #A159045, also the Approving C.O. of #A159045, The supervisor on Duty 4-13-00 1510 M. The Supervising staff of the Property Office where the Legal Documents are being held.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

~~being held, [REDACTED]~~

#3. This is also a violation of Harassment as proven by the Administrative Personels support of the merit-less Misconduct issued, and the continued Confiscation of personal Legal papers.

#4. Abuse of Authority, as demonstrated by SCI Mahanoy Admin Officer. If not intentional, then #5. Incompetence in Capacity of Duties

Try contacting the Property Room directly with your complaints. That would be more appropriate if seeking resolution to your concerns.

cc: Unit Mgr Chismar
Lt. MahallyShannon, Sept
17 Apr 00☒ TO DC-14 CAR ONLY☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

DC-135A

RECEIVED
INMATE'S REQUEST TO STAFF MEMBER

APR 27 2000

SUPERINTENDENT'S OFFICE
SCLM/ALNOVCOMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

1. TO: (NAME AND TITLE OF OFFICER) <i>Mr. Shannon Superintendent</i>		2. DATE <i>4-26-00</i>
3. BY: (INSTITUTIONAL NAME AND NUMBER) <i>Brett Culver DD.3483</i>		4. COUNSELOR'S NAME <i>Barish</i>
5. WORK ASSIGNMENT	6. QUARTERS ASSIGNMENT <i>RH U</i>	
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.		

As to your letter dated 25 April 00. The issue here is; one of your employees is falsifying Record Documents by Back Dating events on Record that time limitations had expired on. Any appeal would only show the falsified Back Date on Records and not the actual date of events. Also, I can not appeal this issue through the Appeal system, because the Misconduct was dismissed (See DC Handbook). These Documents were subject to dismissal "without Prejudice" then Back Dated 3 days because the time limitations for the Hearing had expired prior to the Hearing. These Falsifying of Dates on these Proceedings done By Kane were done so he could have another Misconduct rewritten with a fresh time limitations so he could prosecute a expire issue.

Not one of ^{your} Administrative offices will address this issue. I kinda thought you were in charge of these Administrative offices. By your letter, I take it that you fully support corruption within your Administration, and these actions by Kane of Falsifying Institutional Documented Records. ~~that~~ These acts of corruption in which you have been informed of and demonstrate support of within this Administration has been noted.

I have addressed this matter as have other staff. Your claims cannot be substantiated.

CC: ☒ TO DC-14 CAR ONLY

CC: Unit Mgr Chismar

☐ TO DC-14 CAR AND ~~135~~ IRS

AFF MEMBER

DATE

27 APR '00

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI-Mahanoy
(570) 773-2158

25 April 00

SUBJECT: Response to Correspondence

TO: Brett Culver, DD-3483, RHU

FROM: R. Shannon, *R. Shannon, Supt.*
Superintendent

You are incorrect in your assumption that I should be aware of your situation. There being 1,960 other inmates here besides you, I am not aware of your most recent plight.

The issues included in your request slip may be matters to be considered as part of any misconduct appeal. If you wish to process an appeal, then do so. It would be inappropriate for me to address your concerns otherwise. You also have a chain of command in which to pursue your concerns. That process does not begin at my doorstep. I will take no further action until you follow proper procedures as required.

I also note that you have sought to gain transfer return to Western Region. It will not happen if you cannot resolve your conflicts here.

RDS:dy

cc: DSFM Petruccio
Lt. Henrickson
U.M. Chismar
DC-14
file

DC-135A		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.	
RECEIVED APR 25 2000 SUPERINTENDENT'S OFFICE SCI MAHANOY			
1. TO: (NAME AND TITLE OF OFFICER) Mr. Shannon Superintendent		2. DATE 4-24-00	
3. BY: (INSTITUTIONAL NAME AND NUMBER) Brett Culver DD 3483		4. COUNSELOR'S NAME Barsh	
5. WORK ASSIGNMENT		6. QUARTERS ASSIGNMENT RHU	
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.			
<p>I suppose your ^{aware} of this dis, but I'll need your response anyways. This is yet another spin-off of the request I sent to you 4-14-00 about a CO taking my legal work then filing a false report (Misconduct) to cover-up his violation of taking my legal work. The next time I seen him I confronted confronted him for lying on me by saying "Gusto; Whats the matter cant tell the Truth?" ^{per those are the only words I said.} "Gusto." Later that night Im taken to RHU and get a Misconduct stating I threatened him and his family. It seems to be nothing to this CO to manipulate this entire Administration with lies against inmates he wants to "personally" persecute, knowing the Administration will support and promote his "personal" corruption of the System. Anyways, even as this Administration supports and promote</p>			
8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)			
<p>such acts of corruption, I was held in RHU for 7 days before I finally received a Hearing. (4-17-00 to 4-24-00.) This violates DC-ADM G. 1. of a 6 calendar day time limit. When I asked about this I was told it was 7 working days. "But that is untrue." The Misconduct was dismissed at the Hearing, but Examiner Kane said he wanted time for the Misconduct to be rewritten. After I got the Verdict Receipt (DC-141 Part B) I seen that Kane had <u>Back Dated</u> the Hearing Date on it to 4-21-00. "But it was the 24th." This was done to keep the Misconduct valid on Time frame. Did Kane not also lie? Is this not collaborating corruption? In any event, going by the Back Dated 4-21-00 (now) The new rewritten Misconduct 4-24-00 is 3 days over the reissuement time Period. Either way these Misconducts (False allegations) must be thrown out. What is your position since these officers and officials are in violation? Im still being punished in RHU for doing no wrong or committing any error, awaiting further action by Hearing Exam.</p>			
<input type="checkbox"/> TO DC-14 CAR ONLY		<input type="checkbox"/> TO DC-14 CAR AND DC-15 IRS	
STAFF MEMBER		DATE	

DC-135A

RECEIVED
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
SEP 07 2000

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER) R. Shannon Superintendent		2. DATE 9-5-00
3. BY: (INSTITUTIONAL NAME AND NUMBER) Erett Culver ID-3483		4. COUNSELOR'S NAME Barsh
5. WORK ASSIGNMENT ---	6. QUARTERS ASSIGNMENT D-B 22	
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.		
<p>The Harassment by Officer Minkich against me is well known among other employees at this facility. There are certain employees that inform me about conversations they have had, or heard about me from C.O. Minkich. *Today (9-5-00) I was told by one of these employees that Officer Minkich is actively seeking information concerning me from other employees on D-B. And this employee informed me that Officer Minkich was making improper statements in reference to me. This involves conspiracies and stalking. *All measures of security and protection have been denied by this Administration. I desperately tried to secure relief on these issues which has been denied. I tried to secure separation protection which has also been denied to this date. Everything I have tried to do to secure relief (protection from abuse) has been denied by this Administration "and your authority." This Administration has supported, facilitated, promoted, and endorsed all facets of harassment and hostilities against my person. I cannot be held responsible or accountable for any actions on my part that might occur related to these situations being deliberately forced on my person.</p>		
8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)		

Provide names to the Security Office. Give them something to work with and your accusations will be formally investigated as they have been previously.

Also-you most certainly will be held accountable for your actions.

Dep. Petruccio
cc: Major McGrady-have his latest complaints investigated.
Unit Mgr Chismar
Adm Asst Dotter

R. Shannon

7 Sep '00

☐ TO DC-14 CAR ONLY

☒ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

September 4, 2000

TO: Superintendent R. Shannon

Re: #MAH-0286-00

If the Officials of this Administration want to discredit the issues, or me personally, they should have the dignity and courage to do it with truthful statements and credible evidence. The demonstrated conduct and tactics by Officials of this Administration is reprehensible. "And it is pathetic that I am the one having to tell you this!"

I have not been deceitful in any of my statements, nor have I fabricated any issues of report. All the issues "I am forced to submit or" are unquestionably real.

This Administration has consistently refused to address "all issues", and has conspired to sabotage all issues from being processed or resolved.

You discredit statements received by Ms. Chisner (as you say) to be quoted statements from me... If Ms. Chisner conveyed these so called quoted statements to you as they have been entered in your response (8-29-00), then Ms. Chisner is another liar along with the large association of members within this out-of-control Administration. There are bits and pieces of true statements present that I made, but that have been twisted and rearranged beyond any true statement or intended interpretation they originally had when I spoke to Ms. Chisner. "I certainly did not say what you say I said!" This Administration and it's Officials have corrupted the record (really the entire system) with fraudulent responses (entries) on every single issue I have "had to submit for resolution and relief. And the Official Response on #MAH-0286-00 is no exception to these Administrative tactics.

To clarify these most recent fraudulent accusations entered on record, "first, Ms. Chisner called me to the Counselors office to deliver (verbally and off the record) "your threats to me should I continue to pursue issues of Grievances (8-22-00). What I did say to Ms. Chisner, was that I do not like having to deal with all the paper-work, because it is nothing but a headache "to me!" I told her that this Administration "refuses to address or resolve any of these issues, and that is why I am "forced" to submit paper-work. When Ms. Chisner was delivering the threats you sent her to convey (warnings to stop pursuing issues) she accused me of flooding the various offices with paper-work. She said I was sending paper-work to different offices on the same issue at the same time. "The record will show that this is not true." I also told Ms. Chisner that the Administrations agitation with my efforts to find relief on these problems was that of it's own doing. Then I did say something to the effect that if the paper-work is causing headaches to the Administration, then those are the only results my efforts have gained (I made that statement because all the situations, circumstances, and events have been created and committed by this Administration). And I did state that it is impossible for me to exist or continue at this Prison under the numerous critical situations, and that I would like to be transferred to a safer Facility closer to my family.

I would like to point out the fact that I have tried desperately to abridge this Administrations Offices to have these issues addressed (somehow someday), because of the Official corruption, dishonesty, and hostility of this Administration. There are documents of record submitted by me "pleading for any kind of resolution and end to these issues. The record will show this Administrations meritless dishonest excuses and refusal to address any of these issues. I only submit paper-work to this Administration when the outside agencies say that I have to. But I know that any issues submitted to this Administration remain unresolved, and all efforts for relief are futile.

All the paper-work I have submitted to this Administration has basically related to just three issues. #1 Security Breaches that still continue to endanger my life (Disposition: Unresolved). #2 Seizure of Legal Documents that has/continues obstructing legal remedies (Disposition: Unresolved). #3 Harassment-False Allegations/Charges/Aggression of 8th Amend. Violations (Disposition: Unresolved). "ALL ISSUES SUBMITTED TO THIS ADMINISTRATION CONTINUE TO EXIST. NOT ONE ISSUE HAS BEEN RESOLVED." The only Administrative action taken has been fraudulent corruption of issues (and my record), obstruction of process, and threats if I continue to pursue these or other issues.

I will continue to seek relief on any and all Administrative/Official violations, harassment, and lies made against me past/present/future. "However, I will not be submitting anything to the corrupt authority of this Administration.